



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/313,535	05/13/1999	KENNETH A. PARULSKI	73251/PRC	4050

1333 7590 12/21/2001

PATENT LEGAL STAFF  
EASTMAN KODAK COMPANY  
343 STATE STREET  
ROCHESTER, NY 14650-2201

EXAMINER

CHRISTENSEN, ANDREW BRUCE

ART UNIT	PAPER NUMBER
----------	--------------

2612

DATE MAILED: 12/21/2001

18

Please find below and/or attached an Office communication concerning this application or proceeding.

*zull*

# Advisory Action

Application No.  
09/313,535

Applicant(s)  
Parulski et al.

Examiner  
Andy Christensen

Art Unit  
2612



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED Nov 26, 2001 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid the abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

## THE PERIOD FOR REPLY [check only a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ In view of the early submission of the proposed reply (within two months as set forth in MPEP § 706.07 (f)), the period for reply expires on the mailing date of this Advisory Action, OR continues to run from the mailing date of the final rejection, whichever is later. In no event, however, will the statutory period for the reply expire later than SIX MONTHS from the mailing date of the final rejection.

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☒ A Notice of Appeal was filed on Nov 26, 2001. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will be entered upon the timely submission of a Notice of Appeal and Appeal Brief with requisite fees.
3. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search. (See NOTE below);
- (b) ☐ they raise the issue of new matter. (See NOTE below);
- (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without cancelling a corresponding number of finally rejected claims.

NOTE:

4. ☒ Applicant's reply has overcome the following rejection(s):  
the 35 USC 112 rejection of Claims 26 and 27
5. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in separate, timely filed amendment cancelling the non-allowable claim(s).
6. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
(see attached)
7. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
8. ☒ For purposes of Appeal, the status of the claim(s) is as follows (see attached written explanation, if any):  
Claim(s) allowed: \_\_\_\_\_  
Claim(s) objected to: \_\_\_\_\_  
Claim(s) rejected: 1-15, 26-31, 33, and 35-38
9. ☐ The proposed drawing correction filed on \_\_\_\_\_ a) ☐ has b) ☐ has not been approved by the Examiner.
10. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_
11. ☐ Other:

1. The Applicants' arguments filed November 26, 2001 have been fully considered by the Examiner but they are not deemed to be persuasive.

The Applicants argue that in Yamada et al. there are not two or more image files associated with each classification code.

In response, the fact that a multiple reproduction is performed for a designated classification code clearly discloses that there are two or more image files associated with the classification code (See Section 0004, lines 16-18).

The Applicants argue that in Yamada et al. images are not combined with their corresponding classification codes into a tag name file having multiple images associated therewith.

In response, it is noted that the claim language does not recite both a classification code and a tag name file, but only a tag name file. The classification code in Yamada et al. reads on the recited tag name. Figure 13 of Yamada et al. clearly shows the storing of each image file into a tag name (classification code) file, for instance the large classification.

The Applicants argue that the hierarchically-classified codes of Figure 13 of Yamada et al. do not show a combining of multiple image files into a tag name file.

The Examiner respectfully disagrees. Figure 13 of Yamada et al. shows multiple image

files stored as sub-files into each large classification file.

The Applicants argue that multiple image files are not combined into common tag name files in Yamada et al. However, Figure 13 of Yamada et al. clearly shows this as stated previously.

2. Any inquiry regarding this communication or earlier communications from the examiner should be directed to Andy Christensen whose telephone number is (703) 308-9644.

If attempts to reach the examiner by telephone are unsuccessful the examiner's supervisor, Wendy Garber, can be reached on (703) 305-4929.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

ac  
December 17, 2001



**ANDREW B. CHRISTENSEN**  
**PRIMARY EXAMINER**